

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 19, 2004**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and D. Nolan,  
Deputy Clerk.

Mallano, J. leaves the bench.

B168081     King & Ferlauto  
                 v.  
                 Timothy Kenna, et al.

Merits:  
Argued by Thomas M. Ferlauto for appellant and by Shenne Hahn for  
respondents. Cause submitted.

Mallano, J. returns to the bench.

B165712     Marlene Sauer  
                 v.  
                 Isobel Chanin

Merits:  
Argued by Damon Heilweil for appellant. Marc S. Shapiro appearing for  
respondent and waives argument. Cause submitted.

DIVISION ONE (Continued)

B162536 Christine A. Casey  
v.  
Mattel, Inc.

Merits:  
Argued by Dan Stormer for appellant and by John B. Quinn for respondent.  
Cause submitted.

Ortega, J. leaves the bench.

B164066 Ronald Prince, et al.  
v.  
CLS Transportation, Inc., et al.

Merits:  
Argued by David Affeld for appellants and by Fermin Llaguno for respondents. Cause submitted.

Ortega, J. returns to the bench.

B166191 George B. Weathersby, et al.  
v.  
Quisic Corporation, et al.

Merits:  
Argued by Mark A. Wasserman for appellant Goose, by Steven M. Rich for appellant Quisic Corp and by Lawrence J. Hilton for respondents. Cause submitted.

Vogel, J. leaves the bench.

## DIVISION ONE (Continued)

B159956 Harriet Parks  
v.  
Los Angeles Unified School District

Merits:  
Argued by Manuel S. Klausner for appellant and by R. Paul Katrinak for respondent. Cause submitted.

Court adjourned.

B167406 People (Not for Publication)  
v.  
Castaneda

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

B169342      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Mirna R.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

DIVISION ONE (Continued)

B173941 Valeria V. (Not for Publication)

v.

Superior Court, Los Angeles County  
(Julio C., r.p.i.)

The Court:

Therefore, let a peremptory writ issue, commanding respondent superior court to vacate its order requiring Valeria V., and Frank V., a minor, to submit to DNA testing, in Los Angeles Superior Court case No. VF004987. Valeria V. is entitled to her costs of this proceeding.

B169864 People (Not for Publication)

v.

Brandon R.

The order is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Ortega, J.

DIVISION TWO

B164161 Deluna (Not for Publication)

v.

La Salsa Holding Company, Inc., et al.

We affirm. Respondents shall receive costs of appeal.

Nott, Acting P.J.

We concur: Doi Todd, J.  
Ashmann-Gerst, J.

May 19, 2004 (Continued)

## DIVISION TWO (Continued)

B166309 People (Not for Publication)  
v.  
Rubalcava

The case is remanded for resentencing in accordance with this opinion, in all other respects, the judgment is affirmed.

Nott, Acting P.J.

We concur:   Doi Todd, J.  
                       Ashmann-Gerst, J.

B169155 People (Not for Publication)  
v.  
Arreguin

The judgment is affirmed.

Nott, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

B167902      People  
v.  
Brown

Filed order denying petition for rehearing.

May 19, 2004 (Continued)

## DIVISION THREE

B171927 People (Not for Publication)  
v.  
Randolph

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

B170075 People v. Rodriguez (Not for Publication)

The judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

DIVISION SIX

Court convened at 9:35 AM

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and Jim Terry, Senior Deputy Clerk.

B168968      Bethel  
v.  
Brazil

Merits:

Argued by Robert J. Gundert for appellants and by Howard Mark Becker for respondent. Cause submitted.

DIVISION SIX (Continued)

B170436 Department of Social Services

v.

Roberto H.

In re Areli H., et al., Minors.

Merits:

Argued by Kate M. Chandler for appellant and by Alberto Boada, Deputy County Counsel, for respondent. Cause submitted.

B169176 Moresco

v.

Barker

Merits:

Argued by David P. Warren for appellant and by John E. D. Nicholson for respondent. Cause submitted.

B157490 Felgenhauer

v.

Soni

Merits:

Argued by Norman Pine for Defendants-Appellants-Respondents, and by Christian E. Iversen for Plaintiffs-Respondents-Appellants. Cause submitted.

B168958 San Luis Obispo Tribune

v.

City of El Paso de Robles,

Raike Publishing Corporation

Merits:

Argued by Harriet A. Steiner for appellant City of El Paso de Robles, by Mary E. McAlister for respondent San Luis Obispo Tribune and by Matthew S. Kennedy for intervenor-respondent Raike Publishing Corporation. Cause submitted.

May 19, 2004 (Continued)

DIVISION SIX (Continued)

B165206     Parmeter  
              v.  
              Kretzu

Merits:

Argued by Greg A. Coates for defendant-respondent-appellant Peter Kretzu, by David L. Hagan for plaintiffs-appellants-respondents Joseph and Donna Parmeter and by Stephanie A. Bowen for respondents County of San Luis Obispo, et al. Cause submitted.

Gilbert, P.J., leaves bench.

B167293     People  
              v.  
              Colt

Merits:

Argued by Larry S. Dushkes for appellant and by Linda C. Johnson, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned at 12:25 P.M.

DIVISION SEVEN

B164706     People v. Mack  
B167571     People v. Wallace

Filed order consolidating above captioned appeals.



DIVISION EIGHT

B170783      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Josefina H.

The order placing B. for adoption is affirmed.

Rubin, Acting P.J.

We concur:   Boland, J.  
                 Flier, J.

B169717      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Clara V.

The finding of the juvenile court regarding the section 388 petition and the parent-child adoption exception in section 366.26, subd. (c) (1) (A) are affirmed. Section 366.26 subd. (c)(1)(E) is not applicable to this case.

Boland, J.

We concur:   Cooper, P.J.  
                 Flier, J.

B166242      Turner      (Not for Publication)  
v.  
Provident Funding Associates L.P.

The judgment is affirmed. Provident Funding Associates is to recover its costs on appeal.

Boland, J.

We concur:   Rubin, Acting P.J.  
                 Flier, J.

May 19, 2004 (Continued)

DIVISION EIGHT (Continued)

B174129     Dante Valve Company, Inc.  
              v.  
              Bank Of America Corporation, et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed March 22, 2004) dismissed.